

**North Carolina Agriculture Cost Share Program Review Summary  
(December 2015)**

County	<u>Alleghany</u>	Date of Previous Review/Report	<u>2010</u>
District Staff Name(s)	<u>Linda Hash, Janie Woodle</u>	Date	<u>12/15/2015</u>
NRCS Staff Name(s)	<u>David Tucker</u>		
Division Representative(s)	<u>Lisa Fine, Rob Baldwin</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<b>Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments)</b>										
Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	Meetings are the second Tuesday of the month. Once in a while changes are made and notification is made by posting and sending memos. Hardly ever change meeting dates. Early morning breakfast meeting. Always have quorum. 8:00 a.m.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?				X	Post notification on window, in quarterly newsletter, posted every week in newspaper. Newsletter goes to the schools in the county too.		X			
<i>Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.</i>				X	Linda explains the ranking process after application. Encourage cooperators to keep applying if they have a water quality issue. Just a few have not had water quality issues once the staff checked it out. Staff sets up appointment to go to farm or has the cooperator to come in to fill out request for assistance (application).		X			
<i>In what instances does the district provide technical assistance without cost share funds?</i>				X	Sometimes the district gets landowners with erosion or roof runoff problems and can provide assistance or go see what they can do. Staff works with the county or town on erosion control.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes, applications are reviewed and approved as separate action items. At the time of review by the board the applications do not have numbers.		X			
<i>Are application motions/decisions recorded in the board minutes?</i>				X	Yes, the motions/decisions are recorded in the minutes.		X			
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice?				X	Alleghany doesn't have many incentives and given the land type would not get anywhere near the cap. There is no need to track applicants for		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Is your district using the self-certification for incentives form provided by the division?					this. The district is not using the self-certification form because it isn't needed but staff is aware of the form.					
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	Staff knows most of the farmers in the county and don't really have an issue with needing to track applicants because they don't have many if any incentive practices with caps. Can use FSA office in Ashe County if they need to check on applicants.		X			
At what point in the application process does the district develop the contract? Describe this process.				X	Applicants come into office and apply then site visits are completed. Applications are taken to the board and approved then staff start working on developing the contract. Hardly ever have ineligible applicants. Lots of non-traditional animals – sheep, alpaca, pigs, but mostly beef.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Once contract is developed staff goes over with landowner and while signing forms they tell him not to begin work. Once approval is given then a letter goes out to cooperators. Staff conducts preconstruction meeting here in office with farmer, engineer, and contractor.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors are treated like everyone else. No points given or taken away. <b>NOTE:</b> if applicant could possibly profit from a contract then fill out the 1B form for SWCC approval.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes, there was evidence in the minutes that contracts were reviewed and approved as separate action items.		X			
<i>Are contract motions/decisions recorded in the board minutes?</i>				X	Yes, motions and decisions were recorded in the minutes.		X			
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Yes, there was evidence in the minutes that supervisors abstained from voting on his/her own interests.		X			
What procedures do you follow for notifying the applicant that work can begin?				X	Staff sends out letter and sometimes cooperator will call and ask. Sometimes staff goes over it at preconstruction meeting too.		X			
What information do you provide the applicant?				X	Copies of all forms, conservation plan, maps, soils map, all documents he signed, job sheets, information on correct supplies, and design copies are given to cooperator.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	Staff has helped with some installation especially back during time of doing lots of spring development. Normally staff take elevation shots, make sure ditch lines are right and depth of pipe		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
					is correct, ensure they are using the correct materials, make sure enough gravel is on site. Depends on type of project how often they check progress. During excavation of spring development they are on site the whole time. Staff stays on site more if it's a new applicant.					
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.				X	In their spreadsheet they added a column to track the 1/3 date since the last program review. District sends a letter to them letting them know their 1/3 date is approaching.		X			
If 1/3 of the work has not been completed within 12 months and the cooperator requests additional time, is the district recording 6-month extensions in the board minutes?	X				Yes, there is evidence in the minutes of 6 month extensions being discussed and approved and recorded in minutes. <b>Commendation:</b> the staff is commended for their efforts and methods of tracking progress on contracts.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?				X	Staff takes a copy of the NC11 form to the field to check off. NRCS has the checkoff sheets for engineering practices. David Tucker is the NRCS staff here.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, and staff document on the NC11 form.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, copies of receipts are in the files.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, RFPs were reviewed and approved by the board as separate action items.		X			
<i>Are payment motions/decisions recorded in the board minutes?</i>				X	Yes, RFPs motions and decisions are recorded in the board minutes.		X			
<b>Section 2: Spot Checks and Compliance Issues</b> Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
<i>Who participates in annual spot checks? When are they conducted?</i>	X				All supervisors, Janie, David Tucker, Rob Baldwin split up the group and part goes to one side of the county and part goes to another. Usually conducted in May. The district is <b>commended</b> for full supervisor participation.		X			
How does the district randomly select which contracts to spot check?				X	Tried different ways – numbers in a hat, random number generator, random pulls. If a contract is pulled that was pulled the year before they would go back and review it again. Have done some 3 years in a row. Do spot check more than the minimum needed as well.		X			
<i>Are all BMPs under the waste management category spot checked for the first five years after</i>				X	Waste projects are flagged in the list they use to pick their spot checks. Pick their 5% then add waste projects		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<i>installation? This applies to all farms that fall under the thresholds that are regulated by DWR.</i>					and ag roads every other year if not already picked in the 5% so they end up doing more than 5% every year.					
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	District does not do new ponds, retrofit or water collection systems.		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	Yes, see previous answer about adding these ag roads.		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.				X	Usually when NRCS is going to do their review they ask if the district has any for them to review. With NRCS not doing them annually, I <b>suggested</b> the district make sure that they send over a request for NRCS to come when needed.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<p>The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation."</p> <p>How does your district notify individuals that have destroyed or mismanaged a BMP?</p>				X	The district writes a letter to the cooperator. They follow up with request for repayment.		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	The supervisors attend spot checks and the issues are brought up during board meetings.		X			
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?				X	Yes, the district provided a letter to the cooperator. I received copies of letters requesting repayment or repair.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Yes, payment was requested and received. I received a copy of the letter and repayment.		X			
<i>Is the district notifying the division of non-compliance and resolutions?</i>				X	Yes, the letter and resolution was sent to the division.		X			
<p><b>Section 3: Record Keeping</b> Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.</p>										

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
How does the district track BMP funds?				X	The district has a color-coded spreadsheet they track funds on.		X			
In what instances does the district use the division on-line (website & CS <sup>2</sup> ) reports?				X	The district uses it for populating BMP certification form.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The county gets the TA and operating funds. They are audited. Audit is going for approval December 21 <sup>st</sup> . County gives district a center for matching funds for educational funds to use. Staff does a budget for that. They get donations from Farm Credit etc... for Envirothon. The county gave them a "fund budget" to use for their items they need for events etc... County approves the use of the funds.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Janie is 25% and Linda is 75% funded by the state.		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	It goes in to the fund budget but it goes to educational programs expenditures/line item. Audited with the other TA and operating funds by the county to be approved December 21 <sup>st</sup> .		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes, they are in the process of working with David Tucker to be sure they have their most up to date copy since there was a discrepancy in what was		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
					entered in to the NRCS system.					
<b>Section 4: Contract Reviews and Site Visits</b> Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 03-2010-501 Applicant Name: Town of Sparta BMP: stormwater wetland				X	No concerns with file. No concerns with BMP.		X			
Contract Number: 03-2006-307 Applicant Name: Roger Todd BMP: spring development, tanks, fencing 				X	No concerns with file. No concerns with BMPs.		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
<p>Contract Number: 03-2008-352 Applicant Name: Richard Woodie/new landowner Steve Joines son Allen Joines BMP: Ag Road Repair/stabilization, critical area planting</p> 	X	X			<p>No concerns with file.</p> <p>BMPs need some gravel added. New owners may not do it. Needs ditch or some means of moving water downhill without eroding the site, broad face dips, diversion.. Heavy rains wash it out. <b>Recommendation:</b> the district should ask new owners to sign Substitution of Parties agreement. If not, cooperators who received funds will need to pay back a prorated amount for this BMP since it is not working as intended.</p>	X		<p>District discussed recommendation at April board meeting. District sent request and transfer form to new landowner with no response. Before requesting pay back or repair from past landowner, District will send letter to Division/Commission with concerns on interpretation of policy/rule. District wishes to further discuss with Lisa Fine at May board meeting.</p>	<p>Further discussion has occurred between the district and division staff and a letter is being written to the SWCC.</p> <p>This is a corrective action now that the new owner has declined to sign the Substitution of Parties Agreement.</p> <p>SWCC response will be noted separately.</p>	<p>SWCC/Department of Agriculture's response to the district's letter will be noted and discussed in a separate document.</p>
<p>Contract Number: 03-2012-440 Applicant Name: James Dixon BMP: cropland conversion to grass</p>				X	<p>No concerns with file.</p> <p>No concerns with BMP.</p>		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
										
<p>Contract Number: 03-2007-311 (s) 03-2006-305          Applicant Name: Sammy Evans sold to cousin Tony Evans          BMP: feed/waste storage structure, HUA, tanks, critical area planting</p> 				X	<p>No concern with file.            No concern with BMP.            Substitution of Parties agreement</p>		X			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Contract Number: 03-2006-282 Applicant Name: Bobby Evans BMP: storm water management, HUA 				X	No concerns with file. No concerns with BMP.		X			
Contract Number: 03-2014-003, 03-2014-006 Applicant Name: Evans Dairy Partnership BMP: HUA, spring dev, tanks, fencing, stock trail, well				X	No concerns with file. No concerns with BMPs.		X			